



May 21, 2021

Via ECF

Hon. Denise L. Cote
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

United States v. Juan Rosario, 19-Cr-367 (DLC)
Request for Modification of Bond Conditions

Honorable Judge Cote:

We write with the government's consent to request the following modification of Mr. Rosario's current bond conditions which are as follows.

On April 2, 2021 Mr. Rosario was presented for his initial appearance on the above-captioned criminal matter. A detention hearing was also held that day and the parties agreed that Mr. Rosario would be placed on home incarceration with electronic monitoring and with the following conditions: a \$100,000 bond to be signed by two financially responsible persons including Mr. Rosario's sister Nathaly Rosario Sarit. Ms. Rosario Sarit could also be a co-signer for moral suasion if she did not qualify financially. Mr. Rosario's travel was restricted to the Southern and Eastern Districts of New York. Mr. Rosario was to surrender his travel documents and make no new applications. Pretrial supervision, including drug testing and treatment, was ordered as directed by Pretrial Services (PTS). On April 2, 2021 Mr. Rosario was released on his own signature. All of the bond conditions, including Mr. Rosario's self-installation of the electronic monitoring equipment, were met as required, by April 16, 2021. PTS Officer Mr. Marlon O'Valles has informed that Mr. Rosario has been fully compliant with all the conditions of his release. Accordingly, we respectfully request the following modification:

1) We request that Mr. Rosario be allowed access to his passport for the limited purpose of obtaining a driver's license/identification card. Mr. Rosario would return the passport to PTS upon obtaining these documents. Mr. Rosario has informed that he requires access to his passport to use as identification for a N.Y.S. Department of Motor Vehicles (DMV) appointment he has scheduled on July 15, 2021 to obtain his driver's license. The driver's license will also serve as identification for Mr. Rosario. Mr. Rosario requires proper identification in order to apply for public assistance including food stamps, as well as to apply for employment positions. PTS Officer O'Valles takes no position on our request for Mr. Rosario to obtain his passport from PTS. However the government consents to this request.

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2) With the consent of both the government and PTS we request the removal of Mr. Rosario's electronic location monitoring device and the imposition of a curfew in lieu of home incarceration.

PTS Officer O'Valles has informed that Mr. Rosario has been fully compliant with all the conditions of his release. Accordingly, PTS does not believe Mr. Rosario should be on location monitoring any longer. PTS thus *consents to and recommends* the removal of Mr. Rosario's location monitoring device, as well as the lifting of Mr. Rosario's restriction of home incarceration, to be replaced with a curfew as determined by PTS. This would allow Mr. Rosario to seek and obtain employment and also to financially assist his sister with whom he is currently residing. Mr. Rosario's wife is pregnant with their child and living in the Dominican Republic. Mr. Rosario is concerned for the well-being of his wife and unborn child and would like to also be able to financially assist them. (Sadly, their first infant passed away last year).

The Government has no objection to either of our requests above.

We thank the Court in advance for its consideration of this matter and convey our best wishes for everyone's excellent health.

Respectfully,

s/ Judith Vargas

Judith Vargas

Attorney for Mr. Juan Rosario

cc: AUSA Kyle Wirshba
AUSA Juliana Moore
U.S. PTO Marlon O'Valles

Granted.

James Cote
5/21/21